

Patel, Rakhee

From: Isaac Leventon <ILeventon@HighlandCapital.com>
Sent: Wednesday, January 31, 2018 12:00 PM
To: Patel, Rakhee
Cc: 'Crescent Research Services, Inc.'
Subject: Conflict of Interest
Attachments: Trust letter for Isaac January 31, 2018.pdf

Please see attached sent on behalf of Nancy Dondero, Trustee.

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THE DUGABOY INVESTMENT TRUST

Nancy Dondero

Trustee

1010 Crescent Beach Road

Vero Beach, FL 32963

(772) 234-6182

Nancy97@bellsouth.net

January 31, 2018

Via Email

Ms. Rakhee V. Patel
Winstead PC
2728 N. Harwood Street
Dallas, Texas 75201
rpatel@winstead.com

RE: Conflict of Interest

Ms. Patel:

At approximately 12:00 am this morning, Winstead P.C. (“Winstead”) filed an involuntary petition of bankruptcy on behalf of Joshua Terry against Acis Capital Management, L.P. (“Acis LP”) and Acis Capital Management GP, LLC (“Acis GP”) in Cause No. 18-30264-7 pending in the United States Bankruptcy Court for the Northern District of Texas (“Dispute”). As you should be aware, the limited partnership interest in Acis LP is majority owned by the Dugaboy Investment Trust (the “Trust”).¹ The Trust is the sole member of Acis GP.²

Winstead has been counsel to the Trust.³ Pursuant to the Texas Rules of Disciplinary Conduct, Winstead is prohibited from representing a party adverse to Acis LP and Acis GP in any matter substantially related to Winstead’s services to the Trust or in a matter in which Winstead would possess confidential information obtained in the course of its representation of Acis LP and Acis GP. See Tex. Disciplinary R. Prof. Conduct 1.05 and 1.09. Winstead’s representation in the Dispute constitutes such a matter in violation of the Disciplinary Rules. Please immediately withdraw your petition of involuntary bankruptcy against Acis LP and Acis GP and cease representation of any party adverse to these entities.

¹ See Exhibit 1 (Amended and Restated Limited Partnership Agreement of Acis LP) and Exhibit 2 (Notice of Change of Trustee of the Dugaboy Investment Trust).

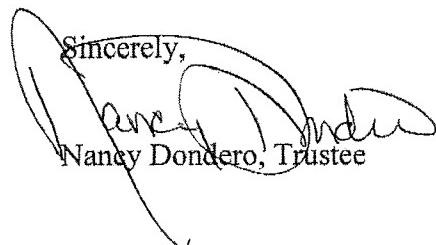
²See Exhibit 3 (Amended and Restated Limited Liability Company Agreement of Acis GP).

³See Exhibit 4 (Trust Agreement between Dana Scott Breault, Settlor, and James D. Dondero and Commonwealth Trust Company, Trustees, the Dugaboy Investment Trust) and Exhibit 5 (Dugaboy Investment Trust, Change of Trustee to Nancy Dondero).

Ms. Patel
Winstead, P.C.

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Please acknowledge receipt of this communication. The Dugaboy Investment Trust hereby reserves all rights and remedies at law, in equity, or otherwise against Winstead, P.C.

Sincerely,

Nancy Dondero, Trustee